

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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RONALD CAMERON, et al.,

NO. CIV. S-06-1960 FCD DAD

Plaintiffs,

v.

GUIDANT CORPORATION,  
et al.,

Defendants.

CLIFFORD HOSLER, et al.,

NO. CIV. S-06-1972 FCD KJM

Plaintiffs,

v.

GUIDANT CORPORATION,  
et al.,

ORDER STAYING ACTIONS

Defendants.

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These matters are before the court on plaintiffs' motions to remand.<sup>1</sup> The court, however, defers ruling on the motions as the above entitled actions may be transferred to the Multidistrict

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<sup>1</sup> Because oral argument will not be of material assistance, the court orders these matters submitted on the briefs. See E.D. Cal. Local Rule 78-230(h).

1 Litigation, MDL No. 1708, In re Guidant Corp. Implantable  
2 Defibrillators Products Liability Litigation, pending in the  
3 United States District Court of Minnesota ("MDL-1708"). Both  
4 actions have been noticed by defendants to the Judicial Panel on  
5 Multidistrict Litigation ("JPML") as "potential tag-along  
6 actions" for inclusion in MDL-1708. (RJN, Ex A, "Thirty-Ninth  
7 Notice of Potential Tag-Along Actions," filed Sept. 7, 2006 with  
8 the JPML.)

9 In light of that notice, the court defers ruling on  
10 plaintiffs' motions and STAYS all proceedings in these matters in  
11 order to permit time for the JPML to render a decision on the  
12 propriety of the transfer of these actions to MDL-1708. Said  
13 stay is warranted because should the JPML transfer the actions,  
14 allowing the MDL court to decide plaintiffs' motions to remand  
15 will serve the purposes of efficiency and consistency for which  
16 the MDL process was created. If, however, the cases are not  
17 transferred, the court will lift the stay of the proceedings and  
18 set the motions for remand within 30 days of the order denying  
19 the transfer.

20 IT IS SO ORDERED.

21 DATED: October 4, 2006

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23 /s/ Frank C. Damrell Jr.  
24 FRANK C. DAMRELL, Jr.  
25 UNITED STATES DISTRICT JUDGE  
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